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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/903,991	07/13/2001	Yuri Poeluev	06944.0042	2243

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MCCARTHY TETRAULT LLP
SUITE 4900, P.O. BOX 48
66 WELLINGTON ST. WEST
TORONTO, ON   M5K 1E6
CANADA

EXAMINER
TRAN, AMY

ART UNIT	PAPER NUMBER
2157	

DATE MAILED: 10/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

Office Action Summary	Application No.	Applicant(s)
	09/903,991	POELUEV, YURI
	Examiner	Art Unit
	Amy Tran	2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *13 July 2001*.
2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-11* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) *1-11* is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Detailed Action

Drawings

1.   This application has been filed with informal drawings, which are acceptable for

examination purpose only. Formal drawings will be required when the application is

allowed.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act

of 1999 (AIPA) and the Intellectual Property and High Technology Technical

Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting

directly or indirectly from an international application filed before November 29, 2000.

Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior

to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3.   Claims 1-5, 8-9 are rejected under 35 U.S.C. 102(e) as being anticipated by

Munger (U.S. Patent No. 6,502,135). Munger's patent meets all the limitations

for claims 1-5, 8-9 recited in the claimed invention.

4.   Regarding to claim 1:

Munger teaches a method for resolving a web site address when connected with a virtual private network (VPN) (figures 26-27) comprising the steps of:

receiving a domain name request from a public host (column 39 lines 42-46, figure 26, wherein client is read as a public host);

resolving said domain name request at a domain name server (DNS) associated with said VPN (column 39 lines 46-50, figure 26, wherein DNS proxy is read as ISP DNS and gatekeeper is read as domain name server (DNS) associated with said VPN); and

returning an address location corresponding to said domain name request to said public host (column 39 lines 50-52, wherein client is read as public host)

5.   Regarding to claim 2:

Munger teaches a method wherein prior to step of resolving a domain name request (column 39 lines 46-50, figure 26, wherein DNS proxy is read as ISP DNS and gatekeeper is read as domain name server (DNS) associated with said VPN), said domain name request is forwarded to said DNS associated with said VPN (column 39 lines 44-46, wherein gatekeeper is read as DNS associated with VPN).

6.   Regarding to claim 3:

Munger teaches a method of resolving a domain name request for a requesting

host, said host connected to a virtual private network (VPN) (figures 26-27) comprising

the steps of:

intercepting a domain name request directed at an internet service provider

(ISP) domain name server (DNS) and redirecting said domain name request to a VPN

DNS (column 38 lines 23-36, wherein DNS proxy is read as ISP DNS and gatekeeper is

read as VPN DNS);

receiving a domain name response from said VPN DNS (column 38 lines 37-38,

wherein gatekeeper is read as VPN DNS); and

returning said domain name response to said requesting host (column 38 lines

37-38, wherein user computer is read as host)

7.   Regarding to claim 4:

Munger teaches the step of connecting said host to said domain name resulting

from said domain name request (column 37 line 24-39, figure 25, wherein client is read

as host).

8.   Regarding to claim 5:

Munger teaches the method for resolving a web site address when connected

with a virtual private network (VPN) (figures 26-27) comprising the steps of:

intercepting a domain name request from a public host addressed to a pre-

determined domain name server (DNS) (column 37 lines 24-29, wherein "Yahoo.com" is

an example of a pre-determined domain name server (DNS) which is determined by the
user is given)

forwading said domain name request to a DNS associated with said VPN
(column 39 lines 44-48, figure 26, wherein gatekeeper is read as a DNS associated with
VPN);

receiving a domain name response including an address location corresponding
to said domain name request (column 39 lines 48-50, figure 26) ; and

forwarding said domain name response to said public host (column 39 lines 50-
52, figure 26, wherein client is read as public host).

9.   Regarding to claim 8:

Munger discloses an apparatus for resolving a web site address for a public host
when connected with a virtual network (VPN) comprising:

A VPN domain name server (DNS) for resolving domain name requests (column
38 lines 25-36, figure 26, wherein gatekeeper is read as VPN DNS and DNS proxy is
read as ISP DNS); and

A software module (column 38 lines 23-40, figures 26-27, wherein steps that are
executed by DNS proxy server's software module) for forwarding a domain name
request to said VPN DNS (column 39 lines 44-48, wherein gatekeeper is read as VPN
DNS and DNS proxy server is read as ISP DNS) and for receiving a domain name
response from said VPN DNS (column 39 lines 48-50, wherein gatekeeper is read as
VPN DNS) and for forwarding said response to said public host (column 39 lines 48-52,
wherein client is read as public host).

10.   Regarding to claim 9:

Munger discloses domain names that are related to private web sites (reference

2604 in figure 26) of public web sites (reference 2602 in figure 26)(column 38 lines 14-

21).

Claim Rejections - 35 USC § 103

11.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

12.   Claims 6-7, 10-11 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Munger et al. (US Patent No. 6,502, 135) in view of Herzog et al. (US Patent No.

6,425,003).

13.   Regarding to claim 6:

Munger teaches the step of intercepting said domain name request (column 38

lines 23-36, wherein DNS proxy is read as ISP DNS and gatekeeper is read as VPN

DNS)

Munger fails to teach the step of modifying said domain name request. However,

Herzog teaches the step of modifying a domain name request (column 4 lines 34-46).

It would have been obvious for one of ordinary skill in the art at the time the

invention is made to modify Munger by adding step of modifying a domain name

request before intercepting said domain name request because it would efficiently

resolve where to forward a DNS request and this step is a way of forcing the DNS

request to be routed to the selected DNS service .

14.   Regarding to claim 7:

Munger teaches the step of forwarding said domain name request (column 39

lines 44-48).

Munger fails to teach the step of modifying said domain name response.

However, Herzog teaches the step of modifying a domain name request (column 4 lines

34-46).

It would have been obvious for one of ordinary skill in the art at the time the

invention is made to modify Munger by adding step of modifying a domain name before

forwarding a domain name response because it would efficiently resolve where to

forward a DNS response and this step is a way of forcing the DNS response to be

routed to the selected DNS service.

15.   Regarding to claim 10:

Munger discloses software module (column 38 lines 23-40, figures 26-27, wherein steps

that are executed by DNS proxy server's software module)) for forwarding domain name

request (column 39 lines 44-48) and forwarding domain name response (column 39

lines 48-52).

Munger fails to disclose modifying domain names requests and

modifying domain names responses. However, Herzog discloses modifying domain

name requests (column 4 lines 34-46) and modifying domain name responses

(column 4 lines 34-46).

It would have been obvious for one of ordinary skill in the art at the time the

invention is made to modify Munger by adding programming functions of modifying

domain names requests and modifying domain name responses into the software

module because it would efficiently resolve where to forward a DNS request and where

to forward a DNS response and this step is a way of forcing the DNS request or the

DNS response to be routed to the selected DNS service.

16. Regarding to claim 11:

Munger discloses an apparatus, wherein software is a driver (column 39 lines 44-

52, wherein DNS proxy server' s software module controls the processes of forwarding

a DNS request and forwarding a DNS response)

Additional References

17.   Mott, U.S. Pub. No. 2002/0103931.

Contact Information

Any inquiry concerning this communication or earlier communications from the

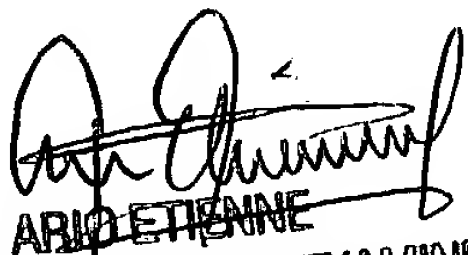examiner should be directed to Amy Tran whose telephone number is (703) 305-8115.

The examiner can normally be reached on Monday-Friday from 9:00 AM to 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

Supervisor, Ario Etienne can be reached at (703) 305-7562. The fax number is

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Business Center (EBC) at 866-217-9197(toll free).

AT
September 28, 2004

ARIO ETIENNE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100